

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SOPHIE SZOPA,)
Plaintiff/Appellant,)
v.) Civil No. 05-1751
PRISCILLA WHITE) Judge Hibbler
Appeals Team Manager,)
Internal Revenue Service,)
Defendant/Appellee.)

W
FILED

JUN 16 2005

MICHAEL W. DOBBINS
CLERK, U. S. DISTRICT COURT

NOTICE OF FILING OF UNITED STATES' MOTION TO DISMISS

TO: Sophie Szopa
17825 Navajo
Tinley Park, IL 60477

PLEASE TAKE NOTICE that, on June 16, 2005, the United States of America filed the United States' Motion to Dismiss, with an accompanying brief in support thereof, with the Clerk of the United States District Court for the Northern District of Illinois, pursuant to Judge Hibbler's May 13, 2005 minute entry ordering the United States to respond by 6/30/05 and advising a ruling would be by mail.

Respectfully submitted,
PATRICK J. FITZGERALD

United States Attorney

ANN L. WALLACE

Assistant United States Attorney

Heather L. Richtarcsik

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UNITED STATES' MOTION TO DISMISS

The appellee, by its undersigned counsel, hereby moves, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, to dismiss appellant's action for lack of subject matter jurisdiction.

A memorandum in support of this motion is being filed contemporaneously with this motion to dismiss. A proposed Order is also attached.

Respectfully submitted,

PATRICK J. FITZGERALD

United States Attorney

ANN L. WALLACE

Assistant United States Attorney

Heather L. Richtarcsik

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CERTIFICATE OF SERVICE

I CERTIFY that service of the foregoing UNITED STATES' MOTION TO DISMISS, MEMORANDUM IN SUPPORT OF UNITED STATES' MOTION TO DISMISS, NOTICE OF FILING, and NOTICE OF APPEARANCE has this 15th day of June, 2005, been made upon the following by depositing a copy in the United States mail, postage prepaid, addressed to:

Sophie Szopa
17825 Navajo
Tinley Park, IL 60477

Heather L. Richtarcik
HEATHER L. RICHTARCSIK
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Internal Revenue Service,)
)
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ORDER

Upon due consideration of all submissions by the parties, the Court finds that the Court lacks jurisdiction over plaintiff-appellant's "Petition for Review of Determination of Internal Revenue Service office of Appeals" (plaintiff-appellant's Petition);

IT IS ORDERED, DECREED AND ADJUDGED that plaintiff-appellant's Petition is hereby dismissed.

DATE

UNITED STATES DISTRICT COURT JUDGE